

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	HON. MICHAEL A. SHIPP
	:	
v.	:	CRIM. No. 19-790
	:	
ERIC HAFNER	:	

ORDER

This matter having been opened to the Court on motion of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Ian D. Brater and R. Joseph Gribko, Assistant United States Attorneys), for an Order declaring a limited waiver of movant Eric Hafner's attorney-client privilege with his court-appointed counsel, Mark Catanzaro, Esq, on the issues identified in Hafner's Motion to Withdraw His Guilty Plea; and the Court, having considered the defendant's motion and documents attached thereto, and the government's motion, makes the following findings:

1. Hafner alleges that that his appointed attorney provided constitutionally ineffective assistance of counsel by misrepresenting Hafner's ability to litigate and appeal adverse pretrial motions after pleading guilty pursuant to the terms of the plea agreement.
2. Through these claims, Hafner has put in issue the advice that he received from counsel on those issues, and the communications between Hafner and his counsel regarding those issues.

3. The government has requested to interview Hafner's court-appointed attorney regarding attorney-client communications regarding the issues identified above, and to review records and documents in counsel's files relating to those issues.

For good cause shown;

IT IS, on this 24th day of October, 2022,

ORDERED that Hafner's attorney-client privilege with Mark Catanzaro, Esq., is waived on the limited issues identified in paragraph 1, above, and in Hafner's Motion to Withdraw His Guilty Plea; and it is further

ORDERED that the government may interview Mr. Catanzaro regarding the discussions that he had with, and the advice that he provided to, Hafner on these issues; and it is further

ORDERED that the government may obtain and review records and documents in counsel's files relating to the issues raised in Hafner's Motion to Withdraw His Guilty Plea; and it is further

ORDERED that the government may confer with Mr. Catanzaro for the purpose of preparing and submitting a written declaration or affidavit to be executed by Mr. Catanzaro in connection with the government's response to Hafner's motion.



HON. MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE